

JAN. 9.2004 3:38PM

EASTMAN LITIGATION 4232247709

NO.145 P.2



PTO/SB/63 (05-03)
Approved for use through 05/31/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO ACCOMPANY PETITION

Docket Number (Optional)

32887.253200

In re Application of: Ponasik t al.

Name: Catalyst Compositions For The Polymerization of Olefins

Application Number: 09/776,984

Filed: February 5, 2001

For:

RECEIVED

JAN 16 2004

TC 1700

RECEIVED

JAN 14 2004

OFFICE OF PETITIONS

The owner*, Eastman Chemical Company, of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the person signing is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney of record.

1/8/04

Signature

Date

(423) 229-8862

Jonathan D. Wood

Telephone Number

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

* Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EXPRESS MAIL CERTIFICATE

RECEIVED
JAN 16 2004
TC 1700

"Express Mail" Label No. : EV 316 335 257 US
Serial No. : 09/776,984
Applicant(s) : PONASIK, J. et al.
Filing Date : February 5, 2001
Title: : CATALYST COMPOSITIONS FOR THE
POLYMERIZATION OF OLEFINS
Examiner : Roberto Rabago
Group Art Unit : 1713
Type of Document(s) : Express Mail Certificate;
Transmittal Form;
Fee Transmittal (**in duplicate**);
Petition to Withdraw Holding or Abandonment
Under 37 CFR § 1.181(a);
Terminal Disclaimer to Accompany Petition;
Copy of Docket for 09/776,984;
Copy of File Jacket for 09/776,984;
Copy of mail log for items received from PTO;
Declaration of Samuel B. Rollins; and
Return Postcard

RECEIVED

JAN 14 2004

OFFICE OF PETITIONS

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and are addressed to Mail Stop Petition, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

Carol McCabe (signature)
Carol McCabe

Date Mailed: January 12, 2004

JAN 12 2004

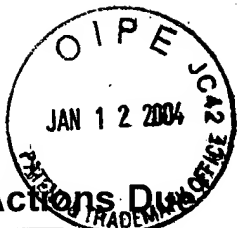
Actions Due

31-Dec-2003

Client Ref #:	32887	70582	Matter #:	32887/205225
Country:	US	United States of America	Sub Case:	B
Application #:	09/776,984	Filing Date:	05-Feb-2001	Status : Published
Action Type:	US-Missing Parts	Action Base Date:	16-Apr-2001	
Response sent dt:	14-Jun-2001			

Action(s) Due	Due Date	Indicator	Taken
1ST Extension	16-Jul-2001	Reminder	<input type="checkbox"/>
2ND EXTENSION	16-Aug-2001	Reminder	<input type="checkbox"/>
3RD EXTENSION	16-Sep-2001	Reminder	<input type="checkbox"/>
MISSING PARTS DUE	16-Jun-2001	Due Date	<input type="checkbox"/>
NOTIFY CLIENT	19-May-2001	REMIND	<input type="checkbox"/>
REMINDER - MISSING PARTS	16-May-2001	Reminder	<input type="checkbox"/>
4TH EXTENSION	16-Oct-2001	Final	<input type="checkbox"/>
US-Missing Part Follow Up Date	14-Dec-2001	DueDate	<input checked="" type="checkbox"/>

Client Ref #:	32887	70582	Country:	United States of America	
Action Type:	US-Missing Parts				
Remarks: Press CTRL-ENTER to start new line. page 18 of the specification is missing - petition, notice & \$130 petition to establish prior receipt in the PTO filed 6/14/01					
Userld:	DEBRA	Date Created:	27-Apr-2001	Last Update:	20-Jun-2001



Actions Due

31-Dec-2003

Client Ref #:	32887	70582	Matter #:	32887/205225	
Country:	US	United States of America		Sub Case:	B
Application #:	09/776,984	Filing Date:	05-Feb-2001	Status :	Published
Action Type:	US - 3 MONTH OFFICE ACTION		Action Base Date:	05-Dec-2002	
Response sent dt:	03-Apr-2003				

Action(s) Due	Due Date	Indicator	Taken
2 Mo. to file O/A Resp.	05-Jan-2003	Reminder	<input type="checkbox"/>
1Mo. to file O/A Resp.	05-Feb-2003	Reminder	<input type="checkbox"/>
3 MO O/A Response Due	05-Mar-2003	Due Date	<input type="checkbox"/>
1st Extension / 2 mo to resp. due	05-Apr-2003	Due Date	<input type="checkbox"/>
2nd Extension / 1mo to resp. due	05-May-2003	Due Date	<input type="checkbox"/>
FINAL DUE DATE-3rd Ext.	05-Jun-2003	Final	<input type="checkbox"/>
US - 3 MONTH OF Follow Up Dat	03-Oct-2003	DueDate	<input type="checkbox"/>

Client Ref #:	32887	70582	Country:	United States of America
Action Type:	US - 3 MONTH OFFICE ACTION			

Remarks:

Press CTRL-ENTER to start new line.

1-4;13-16;18;20;22 are rejected
5-12;17;19;21;23 are objected to
specification objected

Userld:	DEBRA	Date Created:	19-Dec-2002	Last Update:	04-Apr-2003
---------	-------	---------------	-------------	--------------	-------------



Express Mail Cert. No. EV 316 335 257 US

Country Applications

Client Ref #: 32887 70582 Client/Matter #: 32887/205225
Client: Eastman Chemical Co. SubCase: B
Country: US United States of America
Case Type: DIV Application Status: Published
Application Number: 09/776,984 Filing Date: 05-Feb-2001
Patent Number: Issue Date:
Publication Number: 0035030 Publication Date: 21-Mar-2002
Tax Schedule: LE Expiration Date:
Agent: Agent Reference Number:

Action(s) Due	Due Date	Indicator	Action Taken	Response Sent
Invention Disclosure Statement	05-May-2001	Computer	<input type="checkbox"/>	
Application Status Check	05-Aug-2002	Computer	<input type="checkbox"/>	
US - 3 MONTH OF Follow Up Dat	03-Oct-2003	DueDate	<input type="checkbox"/>	03-Apr-2003

Remarks: OFR mailed 4/16/01 - FFLG 4/13/01 - confirmation #7664
DIV of 6,200,925; CIP of 09/028,315 (abandoned); claims benefit of 6 provisionals
Petition to Establish Prior Receipt in the PTO / of items considered omitted by the
PTO - copy of notice of omitted items - DECISION GRANTED 8/24/01

UserID: CBUTNER Date Created: 2/8/2001 Last Update: 4/10/2002